

Appl. No. 09/766,824**PATENT**
IBM Docket No. FR919990111US1**REMARKS**

This amendment is in response to the Office Action mailed July 27, 2005. The responses are in the order in which the issues are set forth in the Office Action.

The Examiner objects to claims 1 and 7 under item 6 of the Office Action. The Examiner also suggests ways to correct the objections. In response, claims 1 and 7 are amended as suggested by Examiner in item 6 of the Office Action.

Claims 1-3 and 7-9 are rejected under 35 USC 102(e) as being anticipated by Manchester (U.S. Patent 6,724,728 B1).

In response, applicants respectfully disagree with the Examiner and argue that these claims are not anticipated by the Manchester et al. patent. A rejection under 35 USC 102(e) requires that every element and features set forth in the claim be found in a single reference. With respect to claim 1 applicants contend Manchester et al. does not teach (a) detecting in said output adapter whether an incoming cell includes a loopback condition, and if so (b) using said routing label by a protocol engine of said output adapter to transmit said cell back to said input adapter then over said ATM network from said input port of said input adapter like the normal cell traveling on the connection in the opposite direction.

U.S. 6,724,728 B1 (Manchester) teaches a method and system for distributed processing of OAM cells between line cards 72 and switch core 74 (Figure 3). In particular, the reference teaches "for ATM traffic, OAM cells are recognized in a centralized ATM switch 82 and loop-back to the receiving line cards 72 for processing", column 6, lines 20-23. It is clear from this teaching and the steps 110, 112, 114 of

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Figure 5 and the related portion of the specification that detecting OAM cells are done in the ATM switch processor 84 and not in the adapter as is required by the process step of claim 1. As a consequence the teaching in the reference is different from that which is set forth in the claim. Likewise, routing of the OAM cell is done at output adapter and input adapter as recited in the claim. In contrast, in Manchester the routing is done between the line adapter and the switch processor 84. See column 6, lines 9-39 and Figure 3. As a consequence, the last element of claim 1 is not disclosed in Manchester et al. Therefore, claim 1 and dependent claims are not anticipated by Manchester et al.

Regarding claim 7, it is a means plus function claim wherein the functions recited in claim 1 are performed by appropriate means in claim 7. Since claim 7 is a means plus function claim the argument set forth relative to claim 1 is applicable to claim 7 and is incorporated herein by reference. As a consequence, for reasons set forth above claim 7 is not anticipated by Manchester et al.

It is noted that on page 4 of the Office Action claim 7 is compared with various sections of the Manchester et al. reference. However, applicants maintain that this comparison appears to be in error because the reference does not seem to teach what the Examiner suggests it teaches. For example, as to the first element of claim 1 or 7 the Examiner points to Figure 5, step 110, 112, 114, 116 and 120. Applicants respectfully maintain that the Examiner equating these prior art steps to "detecting in said output adapter whether an incoming cell includes a loopback condition, and if so;" (applicants' claim 1 or claim 7) is in error. Step 114 and col. 6, lines 20-39 (Manchester et al. reference) clearly show and teach that the line card forwards the cells to the ATM switch for identification. This teaching indicates that the identification is made in the ATM switch and not in the adapter as the Examiner seems to suggest.

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In contrast, applicants' claim 1 and 7 clearly state detection is done in the adapter. Due to the difference the claims are not anticipated by the reference.

Claims 1-2 and 7-8 are rejected under 35 USC 102(b) as anticipated by Moll (U.S. Patent 5,710,760).

In response, claim 1 is amended as shown above. In particular, the claim now recites "setting a loop control bit in said output adapter by a control point of said switching node if loopback is permitted in said switching node". This element of the claim is not taught or suggested in Moll. As a consequence, claim 1 is clearly patentable over the Moll reference. Likewise, claim 7 is patentable over Moll for the same reason as claim 1.

In addition, applicants re-state the arguments in the amendment dated Oct. 20, 2004 as reasons why claims 1, 7 and the dependent claims are patentable over Moll.

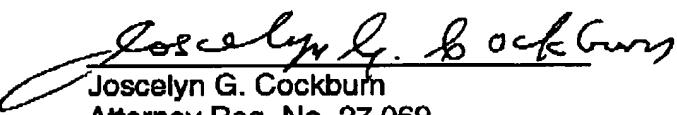
Claims 4-6 and 10-12 are objected to but would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, the claims are written in independent form and are now in a condition for allowance.

Newly added claim 13 is patentable over the art of record for reasons set forth above.

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It is believed the present amendment answers all the issues raised by the Examiner. Re-examination is hereby requested and an early allowance of all the claims is solicited.

Respectfully Submitted,



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